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Effective on 12/09/2004.

Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 200.00

Complete if Known

Application Number	10/784,835
Filing Date	February 23 2004
First Named Inventor	Robert Maher
Examiner Name	Thuan N. Du
Art Unit	2116
Attorney Docket No.	P04461-D06 (11461.00.0171)

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 22-0259 Deposit Account Name: VEDDER PRICE

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Small Entity	
Fee (\$)	Fee (\$)
50	25
200	100
360	180

Total Claims Extra Claims Fee (\$)

- 20 or HP = x = Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

- 3 or HP = x = Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = / 50 = (round up to a whole number) x = Fee Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition To Correct PTA fee

Fees Paid (\$)

200.00

SUBMITTED BY

Signature	<i>Michael J. Turgeon</i>	Registration No. (Attorney/Agent) 39,404	Telephone 312-609-7716
Name (Print/Type)	Michael J. Turgeon	Date August 22, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1408141

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VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.
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CHICAGO, ILLINOIS 60601
312-609-7500
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Page 1

Name: Commissioner for Patents
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Examiner T.N.Du

Fax No.: 571-273-8300

From: Mark A. Dalla Valle

Confirmation No.: 703-306-0377

Date: August 22, 2005

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Total Pages: 41

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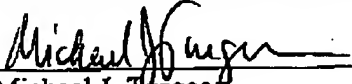
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Special instructions to receiving operator:

Message:

U.S. Patent Application No. 10/784,835, filed February 23, 2004
Docket No. 11461.00.0171

I hereby certify that this correspondence; Petition To Correct PTA (9 pages), Fee Transmittal (1 page), PAIR pages (7 pages) copies of previously submitted documents (23 pages) (are being facsimile transmitted to the United States Patent and Trademark Office on August 22, 2005.


Michael J. Turgeon
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U.S. Patent No. 6,910,141

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

MAHER et al.

Patent No.: 6,910,141

Application No.: 10/784,835

Issued: June 21, 2005

Filed: February 23, 2004

For: PIPELINED DATA
PROCESSOR WITH SIGNAL
INITIATED POWER
MANAGEMENT CONTROL

Group Art Unit: 2116

Examiner: Thuan N. Du

Confirmation No.: 2586

PETITION TO CORRECTPATENT TERM ADJUSTMENTMail Stop Patent Ext.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Via Facsimile 571-273-8300

Sir:

This Petition, submitted pursuant to 37 C.F.R. § 705(d), seeks correction of the patent term adjustment of 0 days indicated in U.S. Patent No. 6,910,141 B2 ("the '141 Patent"). It is respectfully requested that Assignee be afforded a patent term adjustment of 3 days.

In accordance with Rule 1.705(d):

1. The notice of allowance indicated a patent term adjustment of 3 days and was subsequently revised prior to issuance.
2. This request for reconsideration of the patent term adjustment is respectfully filed within two months of the date the '141 patent issued.
3. Assignee submits herewith the fee (\$200) set forth in 37 C.F.R.

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- § 1.18(e) as required by 37 C.F.R. §§ 1.705(d) and 1.705(b)(1).
4. Assignee submits herewith a statement of the facts as required by 37 C.F.R. §§ 1.705(d) and 1.705(b)(2) including statements indicating that:
- a) the correct patent term adjustment is 3 days, the basis for the adjustment under § 1.702, the relevant dates as specified in §§ 1.703(a)-(e) and the adjustment as specified in § 1.703(f);
 - b) the patent is subject to a terminal disclaimer; and
 - c) the circumstances during prosecution of the application resulting in the patent that constitute a failure to engage in reasonable efforts to conclude processing or examination of such application as set forth in § 1.704.
5. This request for reconsideration does not raise issues that were raised or could have been raised in an application for patent term adjustment under 37 C.F.R. § 1.705(b) because the patent term adjustment indicated in the notice of allowance is proper, and should not have been revised prior to issuance.

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.705(d)**A. Statement of the Facts**

Assignee respectfully submits that the correct patent term adjustment is 3 days and requests correction of the erroneous term printed on the '141 Patent. In support, Assignee has included in this petition: (1) a copy of the "Patent Term Adjustment History" printed from PAIR ("PTA History"); (2) a copy of the "Image File Wrapper" printed from PAIR ("Image Wrapper"); (3) a copy of the "File History" printed from PAIR ("File History"); (4) the auto-reply facsimile transmission sheet and a copy of the terminal disclaimer filed without the appropriate fee on August 20, 2004 ("Terminal Disclaimer"); (5) the stamped return postcard and a copy of the IDS filed on September 22, 2004 ("IDS"); (6) the auto-reply facsimile transmission sheet and a copy of the fee transmittal ("Terminal

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Disclaimer Fee") corresponding to the August 20, 2004 Terminal Disclaimer; (7) a copy of the Notice of Allowance mailed February 1, 2005 ("Notice of Allowance"); and (8) the auto-reply facsimile transmission sheet and a copy of the Comment 43 Letter without attachments filed March 14, 2005 ("Comment 43 Letter").

i. § 1.702 Delays Attributable to the Patent Office

Assignee respectfully submits that the basis for adjustment under Patent Rule 1.702 is the failure of the Office to "[r]espond to a reply under 35 U.S.C. [§] 132 . . . not later than four months after the date on which the reply was filed" 37 C.F.R. § 1.702(a)(2) (2004). As indicated by the attached Terminal Disclaimer auto-reply facsimile transmission sheet, Assignee filed the August 20, 2004 Terminal Disclaimer without the appropriate fee in response to the first Office Action mailed July 13, 2004. More than four months later, the Patent Office first responded to Assignee's reply in the February 1, 2005 Notice of Allowance.

As a result, the period of adjustment under Rule 1.702(a) is the sum of "[t]he number of days . . . in the period beginning on the day after the date that is four months after the date a reply under § 1.111 was filed and ending on the date of the mailing of either an action under 35 U.S.C. [§] 132, or a notice of allowance under 35 U.S.C. [§] 151, whichever occurs first." 37 C.F.R. § 1.703(a)(2). December 21, 2004 is the day after the date that is four months after the August 20, 2004 Terminal Disclaimer. The Notice of Allowance, the first response from the Office, was mailed on February 1, 2005. Therefore the proper period of adjustment is the sum of the days beginning on December 21, 2004 and ending on February 1, 2005. In other words, the period of adjustment is 43 days. Because there are no overlapping grounds for adjustment under 37 C.F.R. § 703, Patent Rule 1.703(f) is not applicable. The attached PTA History, Image Wrapper and File History support the aforementioned filings and dates.

ii. Application of Terminal Disclaimer

The '141 Patent is subject to a terminal disclaimer as indicated above. The August 20, 2004 Terminal Disclaimer was filed as the reply to the Patent Office's

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non-final Office Action mailed July 13, 2004. In the non-final Office Action, the Patent Office "provisionally rejected all claims under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims . . . of copending Application No. 10/784,396." (See Non-Final Office Action mailed 07/13/2004, pg. 2, ¶ 5). Assignee's Terminal Disclaimer disclaimed "the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. [§§] 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/784,396, filed on 2/23/04, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned." (See Terminal Disclaimer, August 20, 2004, ¶ 1).

As of the date of this petition, the issue fee for Application No. 10/784,396 has been paid; however, Assignee's have not yet received an issue notification.

iii. § 1.704 Delays Attributable to the Assignee

As indicated by the attached documents, Assignee filed the September 22, 2004 IDS and the September 29, 2004 Terminal Disclaimer Fee¹ after the August 20, 2004 Terminal Disclaimer. As a result, Assignee failed to engage in reasonable efforts to conclude processing or examination of the application with respect to both post-Terminal Disclaimer submissions.

¹ Assignee notes various discrepancies within the PTA History, the Image Wrapper and the File History regarding the September 22, 2004 IDS and the September 29, 2004 Terminal Disclaimer Fee. For instance, while the Image Wrapper appears to properly account for these filings, the PTA History improperly records the IDS filing in an entry dated September 29, 2004 and does not account for the filing of the Terminal Disclaimer Fee. Despite this error, the PTA determination on the PTA History, however, is accurate. Similarly, the File History properly records the IDS filing but is silent as to the Terminal Disclaimer Fee. Such discrepancies, while confusing, do not impact the credibility of Assignee's factual statements as indicated by the attached auto-reply facsimile transmission sheets and stamped return postcard.

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Addressing first the post-Terminal Disclaimer, September 22, 2004 IDS, Assignee appears to have delayed prosecution under either 37 C.F.R. § 1.704(c)(7) or § 1.704(c)(8). § 1.704(c)(7) reads, in relevant part, that:

a “[s]ubmission of a reply having an omission” constitutes a failure to engage in reasonable efforts to conclude prosecution, “in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date the reply having an omission was filed and ending on the date that the reply or other paper correcting the omission was filed.”

Similarly, § 1.704(c)(8) reads, in relevant part, that:

a “[s]ubmission of a supplemental reply or other paper expressly requested by the examiner, after a reply has been filed” constitutes a failure to engage in reasonable efforts to conclude prosecution, “in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date the initial reply was filed and ending on the date that the supplemental reply or other such paper was filed.”

Whether the submission of the IDS is considered a paper correcting a submission of a reply having an omission or a supplemental reply, the period of adjustment under § 1.704 runs from August 21, 2004 to September 22, 2004. In other words, the period of adjustment attributable to Assignee's delay associated with the IDS is 33 days.

Addressing the post-Terminal Disclaimer September 29, 2004 Terminal Disclaimer Fee, Assignee appears to have delayed prosecution under 37 C.F.R. § 1.704(c)(7). As a result of the untimely submission of the Terminal Disclaimer Fee and according to the language of the rule stated above, the patent term should be reduced by a period of time beginning on August 21, 2004, the day after the date the reply having an omission was filed, and ending on September 29, 2004, the date the omission was corrected. In other words, the period of adjustment attributable to Assignee's delay associated with the Terminal Disclaimer Fee filing is 40 days.

Assignee's failure to engage in reasonable efforts to conclude processing or examination of an application will be limited, however, to the

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periods of adjustment that are not overlapping. 37 C.F.R. § 1.704(c). In other words, because the delays attributable to the IDS filing and the Terminal Disclaimer Fee filing are completely overlapping, the period of adjustment can only be reduced by 40 days.

iv. Additional Facts Impacting Patent Term Adjustment

Assignee respectfully submits additional facts regarding prosecution having an impact on the patent term adjustment. As illustrated in the PTA History and in the attached auto-reply facsimile transmission sheet, Assignee filed a Comment 43 Letter on March 14, 2005. The Comment 43 Letter was submitted in compliance with the "obligation of candor and good faith" and pursuant to a response to Comment 43 published in the September 18, 2000 Federal Register regarding the revision of the Patent Rules implementing provisions of the American Inventors Protection Act of 1999. *Changes to Implement Patent Term Adjustment under Twenty-Year Patent Term, Final Rule*, 65 Fed. Reg. 56,366, 56,387 (Sept. 18, 2000).

Assignee's Comment 43 Letter specifically stated that "the term adjustment as provided in the Notice of Allowance is thought to be longer than appropriate." (See Comment 43 Letter, pg. 2). The letter further requested review of the 3 day adjustment in light of, among other things, the September 22, 2004 IDS filing. *Id.* According to the PTA History, the Office characterized the Comment 43 Letter as a miscellaneous incoming letter and proceeded to attribute 100 days of prosecution delay to Assignee presumably under 37 C.F.R. § 1.704(c)(10). As a result, Assignee's patent term adjustment was reduced to 0 days.

As properly indicated in the PTA History, the Image Wrapper and the File History, Assignee paid the issue fee on April 26, 2005. The application matured into the '141 patent on June 21, 2005.

v. Non-applicability of § 1.705(b)

Assignee respectfully submits that this request for reconsideration could not have been raised under 37 C.F.R. § 1.705(b). Rule 1.705(b) applies only to a "request for reconsideration of the patent term adjustment indicated in the notice of

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allowance . . . [and] must be filed no later than the payment of the issue fee. . . .”
37 C.F.R. § 1.705(b). Because the Notice of Allowance indicated the proper patent term adjustment of 3 days and because the alleged 100 day delay occurred after the Notice of Allowance, Assignee had no access to Rule 1.705(b)

B. Request for Reconsideration under § 1.705(d)

Assignee respectfully submits that the proper patent term adjustment is 3 days. Assignee should not receive a reduced period of adjustment under Rule 1.704 because: (1) the Attorney for Assignee merely complied with 37 C.F.R. § 1.705 as interpreted in light of a registered practitioner's obligation of candor and good faith by the Patent Office in the September 28, 2000 Federal Register and (2) 37 C.F.R. § 1.704(c)(10) was not intended to penalize applicants for papers or petitions submitted after notice of allowance regarding the patent term adjustment.

Interpreting the final rules designed to implement certain provisions of the American Inventors Protection Act of 1999, including 37 C.F.R. Subpart F (“Adjustment and Extension of Patent Term”), the Federal Register has stated that a “registered practitioner is under a general obligation of candor and good faith in practice before the Office.” 65 Fed. Reg. 56,366, 56,387 (Sept. 18, 2000); *see also*, 37 C.F.R. §§ 1.56, 10.18, 10.22, 10.23. *“In order to comply with this duty and where the correct adjustment is thought to be less than indicated by the Office, an application for term adjustment under § 1.705(b) need not be filed. Instead, a letter could be filed with the issue fee payment, indicating that that the term adjustment is thought to be longer than appropriate.”* 65 Fed. Reg. 56,366, 56,387 (Sept. 18, 2000) (emphasis added).

In the instant case, Assignee believed that the 3 day adjustment in the Notice of Allowance might have been too generous, and appropriately filed a Comment 43 Letter in conformance with the Rules and official Patent Office interpretations of the Rules. As a consequence, it would be improper to characterize Assignee's compliance with 37 C.F.R. and Patent Office literature in the Federal Register as a failure to engage in reasonable efforts to conclude prosecution.

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Additionally and with respect to the proper scope of 37 C.F.R. § 1.704(c)(10), Assignee respectfully asserts that the Rule was never designed to include papers or petitions regarding the patent term adjustment. The Office has clearly stated that the submission of certain papers after a notice of allowance do not cause substantial interference and delay in the patent issue process, and thus are not considered a failure to engage in reasonable efforts to conclude prosecution. *E.g.*, Nicholas P. Godici, *Clarification of 37 C.F.R. 1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance has been Mailed*, OG 26 June 2001 ¶ 2 (2001), <http://www.uspto.gov/web/offices/com/sol/og/2001/week26/patcfr1.htm>. In addition, Rule 1.704(e) clearly states that the “[s]ubmissions of an application for patent term adjustment under § 1.705(b) . . . will not be considered a failure to engage in reasonable efforts to conclude prosecution . . . of the application under paragraph (c)(10) of this section.” 37 C.F.R. § 1.704(e).

Assignee respectfully asserts that Comment 43 Letters are nearly identical to Rule 1.705(b) petitions in substance and therefore should also be exempt from the scope of Rule 1.704(c)(10). In support, Assignee notes that both Rule 1.705(b) petitions and Comment 43 Letters request reconsideration of the patent term adjustment at notice of allowance and that the only minor formalities are unique among the two papers. While Rule 1.705(b) petitions are more structured than Comment 43 Letters both give notice to the Patent Office that the patent term adjustment may be incorrect.

In summary, the Attorney for Assignee merely complied with the Patent Rules as interpreted by the Patent Office when it submitted a Comment 43 Letter after Notice of Allowance. Moreover, Rule 1.704(c)(10) was not intended to include papers and petitions directed at the patent term adjustment. As a result of the foregoing, Assignee respectfully requests reconsideration of the patent term adjustment as indicated in the issued patent. Specifically, Assignee requests that the patent term adjustment properly account for the 3 days of administrative delay by the Office.

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Please charge the cost of the fee (\$200) to the PTO deposit account of
Vedder, Price, Kaufman & Kammholz, P.C., account number 22-0259.

Respectfully submitted,

VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.

Date: August 22, 2005

By: 

Michael J. Turgeon

Reg. No. 39,404

Signing for Mark A. Dalla Valle

Reg. No. 34,147

Attorney for Assignee
222 N. LaSalle St.
Chicago, IL 60601
Telephone: 312-609-7500
Facsimile: 312-609-5005
Customer No. 23418
Atty. Docket: P04461-D06
(11461.00.0171)

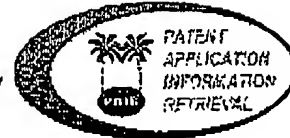
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PATENT APPLICATION INFORMATION RETRIEVAL



Patent Term Adjustment (PTA) for publication number: 10/784,835

			Days
Filing or 371(c) Date:	02-23-2004	USPTO Delay (PTO):	43
Issue Date of Patent:	06-21-2005	Three Years:	-
Pre-issue Petitions (days):	+0	Applicant Delay (APPL):	140
Post-issue Petitions (days):	+0	Total PTA:	0
USPTO Adjustment (days):	+0	Explanation of Calculations	

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Patent Term Adjustment History			
Date	Contents Description	PTO (days)	APPL (days)
06-21-2005	Patent Issue Date Used in PTA Calculation		
05-24-2005	Receipt into Pubs		
05-23-2005	Dispatch to FDC		
05-23-2005	Application Is Considered Ready for Issue		
04-26-2005	Issue Fee Payment Verified		
03-14-2005	Miscellaneous Incoming Letter		100
04-28-2005	Receipt into Pubs		
04-26-2005	Issue Fee Payment Received		
03-08-2005	Workflow - File Sent to Contractor		
02-01-2005	Mail Notice of Allowance	43	
02-01-2005	Mail Notification of Terminal Disclaimer - Not Accepted	↑	
02-01-2005	Mail Notification of Terminal Disclaimer - Accepted	↑	
01-31-2005	Issue Revision Completed	↑	
01-31-2005	Notice of Allowance Data Verification Completed	↑	
01-31-2005	Notice of Allowability	↑	
01-24-2005	Paralegal TD Accepted	↑	
01-24-2005	Notification of Terminal Disclaimer - Accepted	↑	
01-11-2005	Paralegal TD Not accepted	↑	

PAIR Page

01-11-2005	Notification of Terminal Disclaimer - Not Accepted	↑	
08-20-2004	Terminal Disclaimer Filed	↑	
11-24-2004	Date Forwarded to Examiner	↑	
08-20-2004	Response after Non-Final Action	↑	
09-29-2004	Information Disclosure Statement (IDS) Filed		40
08-20-2004	Workflow incoming amendment IFW		↑
07-13-2004	Mail Non-Final Rejection		↑
07-12-2004	Non-Final Rejection		↑
06-08-2004	Case Docketed to Examiner in GAU		↑
06-07-2004	IFW TSS Processing by Tech Center Complete		↑
02-23-2004	Preliminary Amendment		↑
02-23-2004	Reference capture on IDS		↑
02-23-2004	Information Disclosure Statement (IDS) Filed		↑
06-07-2004	Case Docketed to Examiner in GAU		↑
05-17-2004	Application Return from OIPE		↑
05-17-2004	Application Return TO OIPE		↑
05-17-2004	Application Dispatched from OIPE		↑
05-17-2004	Application Is Now Complete		↑
03-25-2004	Cleared by OIPE CSR		↑
03-09-2004	IFW Scan & PACR Auto Security Review		↑
02-23-2004	Initial Exam Team nn		↑

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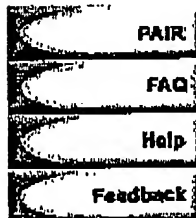
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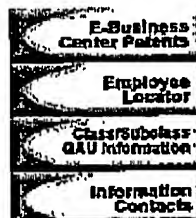


Image File Wrapper for Application No.:10/784,835

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02/01/2005	Search information including classification, databases and other search related notes	PROSECUTION
02/01/2005	Bibliographic Data Sheet	PROSECUTION
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01/28/2005	Examiner's search strategy and results	PROSECUTION
09/29/2004	Transmittal to TC	PROSECUTION
09/22/2004	Information Disclosure Statement (IDS) Filed	PROSECUTION
09/22/2004	NPL Documents	PRIOR ART
08/20/2004	Fee Worksheet (PTO-875)	PROSECUTION
08/20/2004	Terminal Disclaimer Approval form used within the USPTO	PROSECUTION
08/20/2004	Miscellaneous Incoming Letter	PROSECUTION
08/20/2004	Amendment - After Non-Final Rejection	PROSECUTION
08/20/2004	Terminal Disclaimer Filed	PROSECUTION
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08/20/2004	the USPTO	PROSECUTION
07/13/2004	List of References cited by applicant and considered by examiner	PRIOR ART
07/13/2004	Non-Final Rejection	PROSECUTION
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07/13/2004	Index of Claims	PROSECUTION
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02/23/2004	Foreign Reference	PRIOR ART
02/23/2004	Foreign Reference	PRIOR ART
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02/23/2004	Drawings	PROSECUTION
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PATENT APPLICATION INFORMATION RETRIEVAL



Search results as of: 8-22-2005:15:40:44 E.T.

Search results for application number: 10/784,835			
Application Number:	10/784,835	Customer Number:	23418
Filing or 371(c) Date:	02-23-2004	Status:	Patented Case
Application Type:	Utility	Status Date:	06-01-2005
Examiner Name:	DU, THUAN N	Location:	ELECTRONIC
Group Art Unit:	2116	Location Date:	-
Confirmation Number:	2586	Earliest Publication No:	US 2004-0172572 A1
Attorney Docket Number:	P04461-D06 (11461.00.0171)	Earliest Publication Date:	09-02-2004
Class/ Sub-Class:	713/600	Patent Number:	6,910,141
First Named Inventor:	Robert Maher, Carrollton, TX	Issue Date of Patent:	06-21-2005
Title Of Invention:	PIPELINED DATA PROCESSOR WITH SIGNAL-INITIATED POWER MANAGEMENT CONTROL		

Search Options

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Date	Contents Description
08-01-2005	Post Issue Communication - Certificate of Correction
06-21-2005	Recordation of Patent Grant Mailed
06-01-2005	Issue Notification Mailed
06-21-2005	Patent Issue Date Used in PTA Calculation
05-24-2005	Receipt into Pubs
05-23-2005	Dispatch to FDC
05-23-2005	Application Is Considered Ready for Issue
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08-20-2004	Terminal Disclaimer Filed
11-24-2004	Date Forwarded to Examiner
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07-13-2004	Mail Non-Final Rejection
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06-08-2004	Case Docketed to Examiner in GAU
06-07-2004	IFW TSS Processing by Tech Center Complete
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<p><i>Mark A. Della Valle</i> Mark A. Della Valle Reg. No. 34,147</p>					
<p>On 8/20/2004 12:58:01 PAGE 03 * RCVD AT 8/22/2005 5:57:53 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-6/25 * DNIS:2738300 * CSID:312 609 5005 * DURATION (mm-ss):09:50</p>					

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11461.00.0171(P04461-D06)

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10/784,835

PATENT

AMENDMENT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

MAHER ET AL.

Group Art Unit: 2116

Application No.: 10/784,835

Examiner: T.N. DU

Filed: FEBRUARY 23, 2004

AMENDMENT BFor: PIPELINED DATA
PROCESSOR WITH SIGNAL-
INITIATED POWER
MANAGEMENT CONTROLMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Claims 23-152 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 23-146 of co-pending patent application no. 10/784,396. This rejection is respectfully traversed. Submitted herewith is a Terminal Disclaimer. Early reconsideration and allowance of these claims are respectfully requested.

Respectfully submitted,

VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.

Date: August 20, 2004By: Mark A. Dalla Valle
Reg. No. 34,147Attorney for Assignee
222 N. LaSalle St.
Chicago, IL 60601
312-609-7620
Customer No.: 23,418Atty. Docket: P04461-D06 (11461.00.0171)
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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)
P04461-D06

In re Application of: Maher et al.

Application No.: 10/784,835

Filed: February 23, 2004

For: PIPELINED DATA PROCESSOR WITH SIGNAL-INITIATED POWER MANAGEMENT
CONTROL

The owner, National Semiconductor Corp., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/784,396 filed on 2/23/04, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

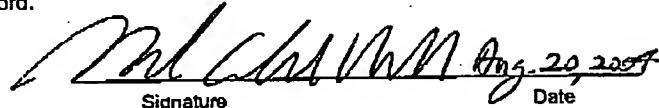
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.


Signature Date

Mark A. Dalla Valle, Reg. No. 34,147

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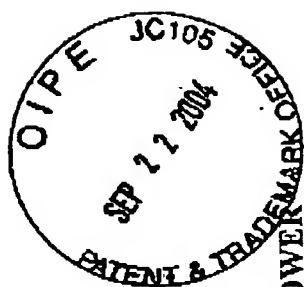
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Title: PIPELINED DATA PROCESSOR WITH SIGNAL-INITIATED POWER
MANAGEMENT CONTROL
Atty.: Mark A. Dalla Valle
C/M: 11461.00.0171
Serial No.: 10/784,835
Mailed: September 22, 2004
Atty. Docket: P04461-D06
Filing Date: February 23, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	Group Art Unit: 2116
)	Confirmation No.: 2586
MAHER et al.)	
)	SUPPLEMENTAL INFORMATION
Application No. 10/784,835)	<u>DISCLOSURE STATEMENT</u>
)	
Filed: February 23, 2004)	
)	
For: PIPELINED DATA PROCESSOR)	Vedder, Price, Kaufman &
WITH INSTRUCTION-INITIATED)	Kammholz, P.C.
POWER MANAGEMENT CONTROL)	222 North LaSalle Street
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Sir:

Submitted herewith are patents, publications or other information may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.
- (d) ☒ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.
- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180) set

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forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith:

(h) ☒ each (i) ☐ none (j) ☐ only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they were previously cited by or submitted to the Office in a prior application no., filed and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is as follows. To expedite a review of the enclosed voluminous reference, the Examiner is respectfully referred to the following list of pages (which is believed to likely be at least somewhat over-inclusive): 2-1; 2-5; 2-9; 2-14; 3-13; 3-18; 3-19; 3-26; 3-47; and 4-61.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for

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-3-

this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

[X] The Commissioner is hereby authorized to charge our Deposit Account No. 22-0259 for any fees required in connection with the filing of this Information Disclosure Statement. A duplicate copy of this Notice is enclosed for this purpose. In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.

Dated: Sept. 23, 2004

By: 

Mark A. Dalla Valle
Reg. No. 34,147

Attorney for Applicant(s)

Atty. Docket No: P04461-D06 (11461.00.0171)

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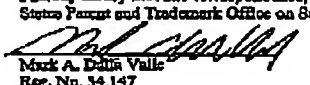
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Page 1

Name: U.S. Patent and Trademark Office
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From: Mark A. Dalla Valle
Date: September 29, 2004
Client No.: 11461.00.0171

Fax No.: 703-872-9306
Confirmation No.: 312-609-5005
Sender's Ext.: 7620
Total Pages: 2
Time Received by Fax Dept:

2004 SEP 29 PM 5:01

Message:

U.S. Patent Application No. 10/784,835, filed February 23, 2004, Docket No. 11461.00.0171

I hereby certify that this correspondence; Fee Transmittal is being facsimile transmitted to the United States Patent and Trademark Office on September 29, 2004.



AUG 22 2005

PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 110.00**Complete if Known**

Application Number	10/784,835
Filing Date	February 23, 2004
First Named Inventor	Robert Maher
Examiner Name	Thuan N. Du
Art Unit	2116
Attorney Docket No.	PD4461-D06(11461.00.0171)

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	22-0259
Deposit Account Name	Vedder, Price, Kaufman & Kammholz, P.C.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
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☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	0.00
Multiple Dependent	-3** =	X	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$) 0.00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity, Small Entity

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
37 CFR 1.20(d) (disclaimer filed by fax 8/20/04)			110.00
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)			(\$) 110.00

SUBMITTED BY

Name (print/type)	Mark A. Dalla Valle	Registration No. (Attorney/Agent)	34,147	Telephone	312-609-7620
Signature		Date	Sept. 29, 2004		

1286479

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NOTICE OF ALLOWANCE AND FEE(S) DUE

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7590

02/01/2005

VEDDER PRICE KAUFMAN & KAMMHOFF CLIENT
222 N. LASALLE STREET FILE NO.
CHICAGO, IL 60601 11461.00.0171

DUE DATE MAY 1, 2005
BY DATE 2/9/05

EXAMINER

DU, THUAN N

ART UNIT

PAPER NUMBER

2116

DATE MAILED: 02/01/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/784,835

02/23/2004

Robert Maher

P04461-D06

2586

TITLE OF INVENTION: PIPELINED DATA PROCESSOR WITH SIGNAL-INITIATED POWER MANAGEMENT CONTROL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	05/02/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

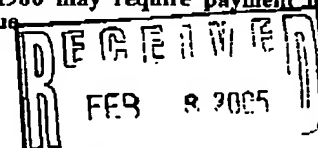
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B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



AUG 22 2005



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,835	02/23/2004	Robert Maher	P04461-D06 (11461.00.0171)	2586
23418	7590	02/01/2005	EXAMINER	
VEDDER PRICE KAUFMAN & KAMMHOLZ 222 N. LASALLE STREET CHICAGO, IL 60601			DU, THUAN N	
			ART UNIT	PAPER NUMBER
			2116	

DATE MAILED: 02/01/2005

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 3 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 3 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability

Application No.

10/784,835

Applicant(s)

MAHER ET AL.

Examiner

Art Unit

Thuan N. Du

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on August 20, 2004.
2. ☒ The allowed claim(s) is/are 23-152 (renumbered as 1-130).
3. ☒ The drawings filed on 19 April 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>9/22/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |



THUAN DU

Application/Control Number: 10/784,835
Art Unit: 2116

Page 2

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance:

Jones et al. [Jones], U.S. Patent No. 4,750,112, discloses a data processing system including a dual pipeline, an instruction pipeline (IP) and an execution pipeline (EP), for executing program instructions. These two pipelines are operated in parallel manner under normal condition. However, under exception conditions, and under controlled of a control unit, one of the pipelines can operate while the other is halted.

Ohtsuka et al. [Ohtsuka], U.S. Patent No. 5,297,263, discloses a microprocessor having a plurality of pipelined stages. When an occurrence of an exception code is detected at a given stage, the given stage is temporarily stopped. The exception code is then transferred to a special stage for execution.

Applicant's claimed invention distinguishes over the prior art for the following reasons. The claims are allowable over the prior art of record because none of the references, either alone or in combination, discloses or renders obvious the apparatus including, among other circuitries, control circuitry responsive to one or more incoming control signals by providing at least one clock control signal having respective assertion and de-assertion states related to said one or more incoming control signal assertion and de-assertion states with said respective assertion states following said first incoming control signal states combination; clock circuitry coupled to said control circuitry and responsive to said at least one clock control signal by providing at least a first clock signal having active and inactive states corresponding to said at least one clock control

Application/Control Number: 10/784,835
Art Unit: 2116

Page 3

signal de-assertion and assertion states, respectively; and pipeline subcircuitry responsive to said first clock signal by selectively operating on one or more instructions for data processing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (571) 272-3673. The examiner can normally be reached on Monday and Wednesday-Friday: 9:30 AM - 8:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (571) 272-3670.

Central TC telephone number is (571) 272-2100.

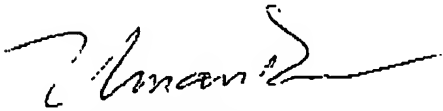
The fax number for the organization is (703) 872-9306.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

Application/Control Number: 10/784,835
Art Unit: 2116

Page 4

have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll free).



Thuan N. Du
January 27, 2005

AUG 22 2005

036

Notice of References Cited	Application/Control No. 10/784,835	Applicant(s)/Patent Under Reexamination MAHER ET AL.	
	Examiner Thuan N. Du	Art Unit 2116	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,750,112	06-1988	Jones et al.	712/217
	B	US-5,297,263	03-1994	Ohtsuka et al.	712/244
	C	US-5,442,757	08-1995	McFarland et al.	712/218
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
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	X	

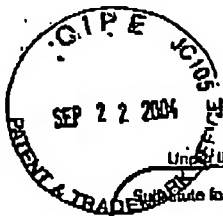
*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20050127

AUG 22 2005



PTO/SB/d6B (02-03)

Approved for use through 04/30/2003. OMB 0851-0031
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/784,835
Filing Date	February 23, 2004
First Named Inventor	Maher
Art Unit	2116
Examiner Name	Thuan N. Du
Attorney Docket Number	P04461-D06(11416.00.0171)

Sheet of **OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
Y		TEXAS INSTRUMENTS, TMS320C25, User's Guide, "Digital Signal Processor Products," Preliminary, 1986	

Examiner Signature		Date Considered	1/27/05
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

† Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.58. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Name: Commissioner for Patents United States Patent and Trademark Office Room 1200 T.N.D.		FAX NO.: 703-573-8306			
From: Mark A. Della Valle		Confirmation No.: 703-306-0377			
Date: March 14, 2005		Sender's Ref.: 7520			
Class No.: 11461.00.0171(P04461-D06)		Total Pages: 22			
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Misc. Use: U.S. Patent Application No. 10/734,835 Filed February 23, 2004 Doc # No. 11461.00.0171					
(I her by certify that this correspondence, Commission 4's Letter of Notice of Allowance, copy of: 1) Best, 2) Image & Use Wrapper, 3) Office Action dated 7/13/04, 4) express mail receipt with scanned returned postcard are being facsimile transmitted to the United States Patent and Trademark Office on March 14, 2005.					
/s/ Mark A. Della Valle Name to Combs					
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Fax No.: 703-872-9306

From: Mark A. Dalla Valle

Confirmation No.: 703-306-0377

Date: March 14, 2005

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Message:

U.S. Patent Application No. 10/784,835 filed February 23, 2004

DocId No. 11461.00.0171

I hereby certify that this correspondence; Comment 43 Letter at Notice of Allowance, copy of: 1) History, 2) Image File Wrapper, 3) Office Action dated 7/13/04, 4) express mail receipt with

10/784,835
 COMMENT 43 LETTER
 AT NOTICE OF ALLOWANCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

MAHER ET AL.)

Application No.: 10/784,835)

Filed: FEBRUARY 23, 2004)

For: PIPELINED DATA)
 PROCESSOR WITH SIGNAL-)
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Group Art Unit: 2116
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 8/14/05 *Nanette Combs*
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Sir:

The Notice of Allowance mailed 02/01/2005 (part of paper number/mail date 2005012) indicates a 3 day patent term adjustment. This term adjustment is further illustrated on the Patent Term Adjustment History (the "History") obtained from PAIR.

On 03/08/2005, a telephone call to the PAIR Technical Support Office (703.305.3028) brought to the Office's attention the following facts: (1) an information disclosure statement (the "first IDS"), not listed on the History, was mailed to the Office on 04/16/2004 via first class mail, acknowledged as received and "placed of record in the file" by the Examiner in the Office Action mailed 07/13/2004 (part of paper number/mail date 20040708); and (2) the information disclosure statement listed on the History as having a filing date of 09/29/2004 (the "second IDS") was actually filed on 09/22/2004. During this telephone conversation, the Office confirmed the above facts while indicating that while the History was not accurate, the Image File Wrapper properly accounted for these filing dates.

Atty. Docket: P04461-D06 (11461.00.0171)
 CHICAGO/#1344682.1

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Assurances were given that the History would be appropriately updated within five to seven business days.

In support of the above facts above, there are, attached hereto, copies of: (1) the History; (2) the Image File Wrapper; (3) the Office Action mailed 07/13/2004 confirming the Office's receipt of the first IDS; and (4) the express mail receipt and stamped postcard indicating the 09/22/2004 filing date of the second IDS.


As provided by the Office's response to Comment 43 on the revision of the Patent Rules implementing provisions of the American Inventors Protection Act of 1999, a registered practitioner's obligation of candor and good faith applies to a practitioner's acceptance of the patent term adjustment as determined by the Office. *Changes to Implement Patent Term Adjustment under Twenty-Year Patent Term*, 65 Fed. Reg. 56,366, 56,387 (Sept. 18, 2000).

In accordance with the Office's response in the Federal Register, the term adjustment as provided in the Notice of Allowance is thought to be longer than appropriate. Therefore, this letter requests the Office to review the 3 day patent term adjustment as indicated in the Notice of Allowance in light of, among other things, the 04/19/2004 and 09/22/2004 filing dates described above.

Respectfully submitted,

VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.

Date: March 14, 2005

By: 
Mark A. Dalla Valle
Reg. No. 34,147

Attorney for Assignee
222 N. LaSalle St.
Chicago, IL 60601
312-609-7620
Customer No.: 23,418

Atty. Docket: P04461-D06 (11461.00.0171)
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